

SECOND REGULAR SESSION

SENATE BILL NO. 1034

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREEN.

Read 1st time February 9, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5111S.01I

AN ACT

To repeal section 337.500, RSMo, and to enact in lieu thereof one new section relating to the licensing of professional counselors.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 337.500, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 337.500, to read as follows:

337.500. As used in sections 337.500 to 337.540, unless the context clearly
2 requires otherwise, the following words and phrases mean:

3 (1) "Assessment", selecting, administering, scoring, and
4 interpreting instruments designed to evaluate an individual's attitudes,
5 abilities, achievements, interests, personal characteristics, disabilities,
6 and mental, emotional, and behavioral symptoms and using methods and
7 techniques for understanding human behavior in relation to coping with,
8 adapting to, or changing life situations;

9 (2) "Committee", the committee for professional counselors;

10 (3) "Consulting", the application of scientific principles and
11 procedures in counseling and human development to provide assistance
12 and understanding and solving current or potential problems that the
13 client or patient may have in relation to a third party, whether an
14 individual, group, or organization;

15 (4) "Counseling treatment intervention", the application of
16 cognitive, affective, behavioral, and systemic counseling strategies which
17 include principles of development, wellness, and pathology that reflect
18 a pluralistic society. Such interventions are specifically implemented in
19 the context of a professional counseling relationship;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 [(2)] (5) "Department", the Missouri department of economic
21 development;

22 (6) **"Diagnosis", identification of mental, emotional, and behavioral**
23 **disorders based upon assessment of the symptoms presented and**
24 **observed characteristics;**

25 [(3)] (7) "Director", the director of the division of professional registration
26 in the department of economic development;

27 [(4)] (8) "Division", the division of professional registration;

28 [(5)] (9) "Licensed professional counselor", any person who offers to
29 render professional counseling services to individuals, groups, organizations,
30 institutions, corporations, government agencies or the general public for a fee,
31 monetary or otherwise, implying that the person is trained, experienced, and
32 licensed in counseling, and who holds a current, valid license to practice
33 counseling;

34 [(6)] "Practice of professional counseling", rendering, offering to render, or
35 supervising those who render to individuals, couples, groups, organizations,
36 institutions, corporations, schools, government agencies, or the general public any
37 counseling service involving the application of counseling procedures, and the
38 principles and methods thereof, to assist in achieving more effective intrapersonal
39 or interpersonal, marital, decisional, social, educational, vocational,
40 developmental, or rehabilitative adjustments;

41 (7)] (10) **"Practice of professional counseling"**, includes, but is not
42 limited to:

43 (a) [The use of verbal or nonverbal counseling or both techniques,
44 methods, or procedures based on principles for assessing, understanding, or
45 influencing behavior (such as principles of learning, conditioning, perception,
46 motivation, thinking, emotions, or social systems);

47 (b) Appraisal or assessment, which means selecting, administering,
48 scoring, or interpreting instruments designed to assess a person's or group's
49 aptitudes, intelligence, attitudes, abilities, achievement, interests, and personal
50 characteristics;

51 (c) The use of referral or placement techniques or both which serve to
52 further the goals of counseling;

53 (d) Therapeutic vocational or personal or both rehabilitation in relation
54 to coping with or adapting to physical disability, emotional disability, or
55 intellectual disability or any combination of the three;

56 (e) Designing, conducting, and interpreting research;

57 (f) The use of group methods or techniques to promote the goals of
58 counseling;

59 (g) The use of informational and community resources for career, personal,
60 or social development;

61 (h) Consultation on any item in paragraphs (a) through (g) above; and

62 (i) **Individual, group, and marriage and family counseling and**
63 **psychotherapy;**

64 (b) **Assessment for the purpose of establishing diagnosis or**
65 **treatment goals and objectives;**

66 (c) **Crisis intervention;**

67 (d) **Diagnosis of persons with mental, emotional, and behavioral**
68 **disorders;**

69 (e) **Planning, implementing and evaluating treatment plans using**
70 **counseling treatment interventions;**

71 (f) **Facilitating the achievement of more effective intrapersonal,**
72 **marital, decisional, social, educational, vocational, developmental, or**
73 **rehabilitative adjustments throughout the life span;**

74 (g) **Utilization of functional assessment and counseling for**
75 **persons requesting assistance in adjustment to a disability or**
76 **handicapping condition;**

77 (h) **Consulting;**

78 (i) **Research;**

79 (j) **Referral;**

80 (k) **The use of specific methods, techniques, or modalities within**
81 **the practice of professional counseling is restricted to professional**
82 **counselors appropriately trained in the use of such methods, techniques,**
83 **or modalities, and licensed as a professional counselor or under**
84 **supervision for licensure as a professional counselor; and**

85 (l) No provision of sections 337.500 to 337.540, or of chapter 354 or 375,
86 RSMo, shall be construed to mandate benefits or third-party reimbursement for
87 services of professional counselors in the policies or contracts of any insurance
88 company, health services corporation or other third-party payer;

89 [(8)] (11) "Provisional licensed professional counselor", any person who
90 is a graduate of an acceptable educational institution, as defined by division rules,
91 with at least a master's degree with a major in counseling, or its equivalent, and
92 meets all requirements of a licensed professional counselor, other than the
93 supervised counseling experience prescribed by subdivision (1) of section 337.510,

94 and who is supervised by a person who is qualified for the practice of professional
95 counseling;

96 **(12) "Referral", evaluating and identifying needs of a client or**
97 **patient to determine the advisability of referral to other specialists,**
98 **informing the client or patient of such judgment, and communicating as**
99 **requested or deemed appropriate to such referral sources;**

100 **(13) "Research", a systemic effort to collect, analyze, and interpret**
101 **quantitative and qualitative data that describes how social**
102 **characteristics, behavior, emotion, cognitions, disabilities, mental**
103 **disorders, and interpersonal transactions among individuals and**
104 **organizations interact.**

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Bill

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